

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:00 p.m. on Monday, October 3, 2016 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rod Bradley, Rhea Crane, Tony Dargatz, and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Steve Keszler and David Martinson.

Motion by Dargatz, second by Crane and carried with all members present voting yes to approve the agenda.

Motion by Waterland, second by Anderson and carried with all members present voting yes to go into executive session for one legal case, one contract and one personnel at 6:02 pm.

Motion by Waterland, second by Bachand to return to regular session at 6:29 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Announcements:

- Mayor Carstensen proclaimed October 3, 2016 as World Habitat Day.
- Fall cleanup is this week.

Informational Reports:

- Forestry Advisory Committee – minutes 7/7/2016
- Finance Officer Bueno presented the 2nd quarter financial statements to the Council.

City Manager Ainslie reported:

- The sales tax update for General Sales Tax and Capital Improvement Tax for August collected in September was down 45% for the month to date, down 12% year to date. The Gross Receipts Tax (triple B) was down 48% for the month to date and down 15% year to date.
- City Manager announced that the annual MS4 Report has been filed with the Department of Environment and Natural Resources.
- Payroll Changes – within budget:
 1. Recreation Dept – Referee – Laban Clement - \$20/game; Line Dancing Instructor – Amberly Baum - \$8.55.
 2. Parks Dept – Parks Maintenance Tech 2 – Kelly Cleland - \$12.56 (\$14 with CDL & pesticide cert); Jack Huston - \$12.84 (14.35 with pesticide cert)

Motion by Waterland, second by Anderson and carried with all members present voting yes to approve the following items on the consent calendar with the exception of e:

- a. Consideration to approve the minutes from the September 19, 2016 regular council and the September 28, 2016 special meeting.
- b. Consideration to approve setting a public hearing on October 17, 2016 for Gustafson Development Company, LP requesting a Zoning Amendment from Low Density Residential to PUD for parcels bounded by Moose Drive, Dolan Creek Road and Ferguson Drive. Best described as Lots 7 – 11 and Remainder A2 of the Hurley Subdivision.
- c. Consideration to approve setting a public hearing on October 17, 2016 for Larry and Connie Plaggemeyer requesting an 8' variance for the side setback on the west side

of their property located at 1407 Main in the General Commercial Zone. They want to build a permanent structure to within 2' of the property line.

- d. Consideration to approve setting a public hearing on October 17, 2016 for Jeramiah Cano for a Use on Review for in-home firearm sales, Canyon View Estates, Lot 8.
- ~~e. Consideration to approve the Homecoming Parade Route for October 14, 2016.~~
- f. Consideration to approve Resolution 2016-47 – Supporting a request for a Flashing Pedestrian Crosswalk Sign on Highway 34

RESOLUTION 2016 - 47

A RESOLUTION OF THE CITY OF STURGIS COMMON COUNCIL REQUESTING A FLASHING PEDESTRIAN CROSSWALK SIGN CROSSING HIGHWAY 34

WHEREAS, the City of Sturgis has been awarded a Recreational Trails Program grant from the State of South Dakota to complete trail circling the Fort Meade Veterans Administration campus; and,

WHEREAS, the City of Sturgis has an existing extensive network of pedestrian and bike trails throughout the community, including a four and a half mile route along the north side of Highway 34; and,

WHEREAS, the City of Sturgis wishes to ensure that the new Fort Meade Trail is easily accessible from the existing trail system, and that

WHEREAS, the City of Sturgis is concerned about safety of pedestrians crossing a State Highway in a zone with a maximum posted speed limit of 45mph but where City law enforcement provide additional patrols as drivers often exceed the post speed limit.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Sturgis supports and asks the South Dakota Department of Transportation to authorize a flashing pedestrian crosswalk sign crossing Highway 34 to the new Fort Meade Trail.

Dated this 3rd day of October, 2016.

Published: 10/12/2016

Effective: 11/02/2016

- g. Consideration to approve Resolution 2016-48 – Seeking Permission from Bureau of Land Management for Ft Meade Trail Construction.

RESOLUTION 2016 - 48

A RESOLUTION OF THE CITY OF STURGIS COMMON COUNCIL REQUESTING ROW FROM THE BUREAU OF LAND MANAGEMENT FOR FORT MEADE TRAIL

WHEREAS, the City of Sturgis has been awarded a Recreational Trails Program grant from the State of South Dakota to complete a trail circling the Fort Meade Veterans Administration campus; and,

WHEREAS, the City of Sturgis has worked with The Veterans Administration and the Bureau of Land Management on the route of the trail which has been approved by State Historical Preservation Office, and,

WHEREAS, the City of Sturgis will need a section of land for the approved route from the Bureau of Land Management for the permanent trail, and additional land for a construction easement.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Sturgis supports and asks the Bureau of Land Management for permanent and temporary ROW for the construction and operation of the Fort Meade Trail.

Dated this 3rd day of October, 2016.

Published: 10/12/2016

Effective: 11/02/2016

h. Consideration to approve Resolution 2016-49 – Setting Future Rally Dates.

RESOLUTION 2016 - 49
A RESOLUTION OF THE CITY OF STURGIS COMMON COUNCIL SETTING
FUTURE RALLY DATES

WHEREAS, the City of Sturgis has successfully hosted the world's largest motorcycle rally for seventy-six years; and,

WHEREAS, the legendary Sturgis® Motorcycle Rally™ is a significant draw for attendees and manufacturers throughout the world; and,

WHEREAS, Main Street and other cross streets throughout the downtown area are closed to allow for motorcycle only parking on the Friday before the actual official start of the Rally; and,

WHEREAS, the official start date of the Rally is challenging to fully explain to the worldwide audience; and,

WHEREAS, the City of Sturgis seeks to ensure that the annual Sturgis® Motorcycle Rally™ is as easy to determine and attend as is possible.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Sturgis hereby sets the "Official Start Date" of the annual Sturgis® Motorcycle Rally™ as the first Friday of each August and shall continue through the second Sunday following the start.

Dated this 3rd day of October, 2016.

Published: 10/12/2016

Effective: 11/02/2016

i. Consideration to approve setting a public hearing on October 17, 2016 for a Transfer of Malt Beverage license from Five Rocks LLC to 1337 Main LLC.

Motion by Waterland, second by Anderson and carried with all members present voting yes to approve the Homecoming Parade Route for October 14, 2016.

Motion by Bachand, second by Crane and carried with Anderson, Bachand, Bradley, Crane, Dargatz, and Waterland voting yes, Carstensen abstaining, to approve the following claims with the addition to the SD Municipal League check:

WAGES – Ambulance \$26,376.25; Attorney \$3422.64; Auditorium \$179.50; Buildings \$1079.50; Cemetery \$1860.94; City Manager \$4577.74; Community Center \$9937.65; Finance Office \$8546.39; Fire Department \$248.92; Human Resource \$2594.10; Library \$8400.43; Liquor \$6884.11; Mayor and Council \$3554.50; Parks \$10,505.82; Planning & Permitting \$7024.68; Police \$40,123.05; Rally \$6738.70; Recreation \$3221.13; Sanitary Service \$14,089.08; Streets \$11,499.50; Wastewater \$8116.04; Water \$12,771.60; Federal Withholding \$18,433.53; FICA \$13,885.29.

COMBINED CASH FUND - Kathleen Donaldson, \$26.40, refund; FW Agency, LLC, \$60.00, refund; Julie & Kyle Treloar, \$19.09, refund; Derek Williams, \$145.60, refund.

GENERAL – A & B Business, \$301.61, sup; Adams-ISC, \$280.98, rep; Amazon, \$527.72, sup; American Legal Services, \$36.20, prof fee; Auto Max of Sturgis, \$106.67, util; Baker & Taylor, \$688.52, sup; Shawn Barrows, \$1,500.00, contract; Biersbach Equipment, \$188.50, other; Black Hills Energy, \$16,740.84, util; Black Hills Rally & Gold, \$67.50, resale; Brosz Engineering, \$8,767.50, other; Buckle Tree, \$101.52, sup; Fay Bueno, \$500.00, ins; Roger Burnham, \$2,800.00, prof fee; Mark Carstensen, \$450.00, other; CBH, \$768.14, sup; Century Business Products, \$2,466.91, prof fee; Donna Cirell, \$200.00, refund; Dakota Business Center, \$39.42, sup; Demco, \$51.49, sup; Diamond Vogel Paints, \$522.72, sup; Dodge Town, \$86.85, rep; EB Communications, \$70.00, prof fee; Ken Grosch, \$30.00, other; Harvey's Lock Shop, \$10.00, sup; Heartland Paper, \$18.33, sup; Nellie Isaacs, \$264.00, sup; J&L Services, \$715.00, rep; Knight Security, \$384.00, rep; Ron Ledford, \$90.00, other; Legends Sales & Marketing, \$186,772.50, prof fee; Scott Lensegrav, \$1,500.00, contract; Matthew Bender & Co., \$95.08, sup; Meade County Times Tribune, \$396.48, pub; Miracle Recreation Equipment, \$264.00, sup; Mobile Mini, \$88.54, rep; Chad Moyers, \$30.00, other; Ben Mumm, \$50.00, other; Heidi Nash, \$250.00, refund; Park Avenue Car Wash, \$48.40, sup; Petty cash, \$15.10, sup; Pizza Hut, \$51.25, sup; Precision Carpet Contractors, \$650.00, sup; Purchase Power, \$500.00, sup; Push-Pedal-Pull, \$360.00, prof fee; Quick Signs, \$70.53, prof fee; Robert Sharp & Associates, \$64.60, sup; Rodenburg Law Firm, \$700.00, prof fee; Rosenbauer South Dakota, \$112.29, rep; Runnings, Farm & Fleet, \$37.25, sup; S&C Cleaners, \$3,100.00, rep; Sacrison Asphalt, \$369.00, sup; Sage Publications, \$226.42, sup; SD Municipal League, \$370.00, travel; Sheehan Mack Sales & Equipment, \$578.69, rep; Sirche Finger Print Laboratory, \$66.90, sup; Dave Smith, \$500.00, ins; Sturgis Demolition Derby, \$1,000.00, refund; Sturgis High School Rodeo, \$1,000.00, refund; Sturgis VFD, \$6,437.50, contract; Terex Services, \$100.18, rep; The Knuckle Saloon & Steak House, \$552.00, sup; Theatrical Services, \$320.87, sup; Tom's T's, \$408.80, sup; Tom Trigg, \$5,000.00, contract; Trugreen, \$238.00, sup; Universal Athletic, \$4,504.80, sup; USDA Forest Service, \$104.23, sup; Vanway Trophy & Award, \$415.50, other; VAST, \$434.16, util; Kristen Venter, \$374.88, refund; Verizon, \$1,387.90, util; Weis Fire & Safety Equipment, \$1,350.00, sup; Christopher Wood, \$560.00, refund.

SPECIAL SALES TAX – Chamber of Commerce, \$9,166.67; SEDC, \$9,833.33, Emily Lisko, \$1,000.00.

CAPITAL IMPROVEMENT – A&L Contractors, \$34,933.34, Brosz Engineering, \$5,454.99; Complete Concrete, \$102,191.62; First Interstate Bank, \$86,995.00; Fourfront Design, \$13,492.95; Heavy Constructors, \$172,104.83; Wells Plumbing, \$1,363.30.

BUSINESS IMPROVEMENT DISTRICT – Black Hills Rally & Gold, \$25.50, sup; Signs Now, \$92.80, sup.

LIQUOR – BH Energy, \$2,339.02, util; Cask & Cork, \$327.25, resale; Century Business Products, \$4.53, sup; Fisher Beverage, \$3,091.92, resale; Grocery Mart, \$1,515.57, other; Johnson Western Wholesale, \$5,118.54, resale; M&B Enterprises, \$171.90, resale; Prairie Berry, \$780.00, resale; Quality Brands of the BH, \$9,813.88, resale; Republic Beverage, \$6,169.77, resale; Schade Vineyard, \$792.00, resale; Southern Wine & Spirits of SD, \$432.37, resale; Strawbale Winery, \$552.00, resale.

WATER – Black Hills Energy, \$12,931.54, util; Black Hills Truck & Trailer, \$382.75, rep; Buckle Tree, \$49.08, sup; Campbell Supply, \$22.73, sup; CBH, \$549.04, sup; Century Business

Products, \$53.53, sup; Credit Collections Bureau, \$56.60, prof fee; Dakota Hardware, \$163.53, sup; Hawkins, \$2,079.42, sup; HD Supply Waterworks, \$21,952.00, sup; Hills Materials, \$600.96, sup; Jenner Equipment, \$27.98, rep; JV Bailey Co., \$2,500.00, refund; Midcontinent Testing Lab, \$377.00, prof fee; Mobile Mini, \$44.27, sup; Owens Interstate Sales, \$38.01, rep; Rapid Construction Co., \$43,560.23, cap imp; SD Assn of Rural Water, \$300.00, prof fee; SD One Call, \$172.48, prof fee; Servall, \$11.86, sup; Sturgis NAA, \$206.48, sup; VAST, \$63.72, util; Verizon, \$259.26, util.

WASTEWATER – Advanced Engineering & Environmental, \$38,632.60, cap imp; BH Energy, \$2,965.59, util; Buckle Tree, \$61.70, sup; Dan Cass, \$500.00, ins; Curtis Jones Welding, \$2,548.00, rep; Flexible Pipe Tool Co., \$38.40, rep; Midcontinent Testing Lab, \$518.40, prof fee; PKG Contracting, \$63,684.26, cap imp; Verizon, \$92.67, util.

SANITATION – BH Energy, \$266.91, util; Buckle Tree, \$24.24, sup; Dan Cass, \$500.00, ins; Great Western Tire Co, \$48.00, sup; LSC Environmental Products, \$18,455.00, sup; Safety Vision, \$131.45, rep; Sheehan Mack Sales & Equipment, \$105.25, rep; Robert Telkamp, \$249.00, rep; Verizon, \$37.77, util.

AMBULANCE – BH Energy, \$683.23, util; CBH, \$2,146.45, sup; Health Education Design Solutions, \$72.00, prof fee; Michael Hogue, \$6,000.00, prof fee; Image Trend, \$753.00, prof fee; Leavitt Heartland Insurance Service, \$32.00, ins; Purchase Power, \$195.77, sup; SDEMSA, \$1,055.10, travel; Spearfish Ambulance Service, \$70.00, prof fee; Verizon, \$237.89, util.

Janis Anderson, David Anderson and Mona Smith approached the Council about moving the skateboard park to a larger area and improving the skateboard equipment. They have looked at a few different locations including the ice skating rink near Lions Park, the tennis court area and the BLM land across from the apartment complexes. The Council asked them to put a plan together and work with Lisa Katzenstein and Rod Heikes and present it to them at a later date.

Any other business:
None

Motion by Dargatz, seconded by Crane and carried with all members present voting yes to adjourn the meeting at 7:11 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$